

**UNITED STATES DISTRICT COURT**

EASTERN DISTRICT OF CALIFORNIA

DAKAVIA MANAGEMENT CORP. et al.,

Case No. 1:20-cv-00448-JLT-SKO

## Plaintiffs,

**ORDER DENYING WITHOUT  
PREJUDICE FIRST AMENDED  
STIPULATION AND PROTECTIVE  
ORDER**

BRANDON BIGELOW, et al.,

(Doc. 119)

### Defendants.

## I. INTRODUCTION

14 On October 11, 2022, after their initial Stipulated Protective Order was denied without  
15 prejudice for failure to comply with Local Rule 141.1, the parties filed a second request seeking  
16 Court approval of their proposed First Amended Stipulation and Protective Order. (Doc. 119.) The  
17 Court has reviewed this proposed stipulated protective order and has determined that, in its current  
18 form, it again fails to comply with the Local Rules and cannot be granted. For the reasons set forth  
19 below, the Court DENIES *without prejudice* the parties' request to approve the stipulation and  
20 protective order.

21 | A. The Protective Order Does Not Comply with Local Rule 141.1(c)

22 As with the parties' initial proposed protective order, this proposed protective order does not  
23 comply with Rule 141.1(c)(1) of the Local Rules of the United States District Court, Eastern District  
24 of California. Local Rule 141.1(c)(1) requires “[a] description of the types of information eligible  
25 for protection under the order, with the description provided in general terms sufficient to reveal  
26 the nature of the information.” (emphasis added.)

27 The First Amended Stipulation and Protective Order, in its current form, still does not  
28 comply with this requirement. It seeks to cover

1 [A]ny information which is in the possession of a Designating Party who believes  
2 in good faith that such information is entitled to confidential treatment under  
3 applicable law. This material includes confidential, proprietary and private  
4 financial and personal information relating to the parties ***including but not limited***  
5 ***to*** business accounts, trade secrets, balance sheets, accounting, loan information  
6 and related correspondence, and personal identifiable information.  
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9 (Doc. 119 at 3, emphasis added.) With its inclusion of the phrase “including but not limited to,” the  
10 proposed protective order fails to comply with Local Rule 141.1(c)(1), which requires “[a]  
11 description of the types of information eligible for protection under the order, with the description  
12 provided in general terms sufficient to reveal the nature of the information.” Without any additional  
13 qualification to the phrase “including but not limited to” or the removal thereof, the proposed  
14 protective order does not sufficiently identify the types of information eligible for protection.

15 **B. The Parties’ Stipulated Protective Order is Denied Without Prejudice**

16 The parties may re-file a revised proposed stipulated protective order that complies with  
17 Local Rule 141.1(c)(1) and corrects the deficiency set forth in this order.

18 **III. CONCLUSION AND ORDER**

19 Based on the foregoing, IT IS HEREBY ORDERED that the parties’ request for approval of  
20 their proposed First Amended Stipulation and Protective Order (Doc. 119) is DENIED without  
21 prejudice to renewing the request.

22 IT IS SO ORDERED.

23 Dated: October 12, 2022

24 /s/ Sheila K. Oberto  
25 UNITED STATES MAGISTRATE JUDGE

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